

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
 JOSE MANUEL DISLA, :
 Plaintiff, :
 :
 -against- : 23-CV-4925 (VSB)
 :
 COMMISSIONER OF SOCIAL SECURITY, : **ORDER**
 :
 Defendant. :
 :
 -----X

VERNON S. BRODERICK, United States District Judge:

On June 12, 2023, Plaintiff filed this action seeking judicial review of the final decision of the Commissioner of Social Security (“Defendant” or “Commissioner”) that he was not entitled to benefits under Title II of the Social Security Act. (Doc. 1.) On July 25, 2023, I referred this case to magistrate judge. (Doc. 7.)

On December 27, 2023, Plaintiff filed a motion for judgment on the pleadings, (Doc. 11), and a memorandum of law in support, (Doc. 12). On March 25, 2024, Defendant filed a brief in opposition. (Doc. 13). On April 16, 2024, Plaintiff filed a reply. (Doc. 14.) On August 2, 2024, Magistrate Judge Jones issued a thorough and well-reasoned Report and Recommendation recommending that Plaintiff’s motion for judgment on the pleadings be denied. (Doc. 15 at 17.) Neither party filed any objections to the Report and Recommendation.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Although the Report and Recommendation explicitly provided that “the parties have fourteen (14) days (including weekends and holidays) from service of this Report and Recommendation to file any objections” and that “[i]f a party fails to file timely objections, that party will not be permitted to raise any objections to this Report and Recommendation on appeal,” (Doc. 15 at 17–18), neither party filed an objection or requested additional time to do so. I have reviewed Magistrate Judge Jones’s detailed and well-reasoned Report and Recommendation for clear error and, after careful review, find none. I therefore ADOPT the Report and Recommendation in its entirety.

The Clerk of Court is respectfully directed to enter judgment in accordance with this Order and close this case.

SO ORDERED.

Dated: January 28, 2025
New York, New York



Vernon S. Broderick
United States District Judge